

# December 3, 2013 LUEAAC Agenda Item Comments

Comments on the Newport Beach Land Use Element Amendment Advisory Committee agenda from:  
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## Item 2. Approval of Minutes (November 5, 2013, Meeting)

I would like to suggest the following extremely minor changes to the last two paragraphs on page 3 of the draft minutes:

- “Staff identified that two of the potential land use changes that were to be studied by the SEIR (Fletcher Jones and Promitory Promontory Point) have been resinded rescinded by the property owners.”
- “The agenda for the Regular Meeting was posted on November 1, 2013, at 2:30 p.m., on the City Hall Electronic Bulletin Board and in the agenda binder located in the entrance of the Council Chambers at 100 Civic Center Drive.”

Notes:

1. Since the Electronic Bulletin Board is not yet fully and reliably functional, the hard copy printout in the agenda binder is currently the “official” Brown Act posting of the agenda.
2. The vote reported at the bottom of page 2 – “(4 Approved, 2 Opposed, 2 Abstained)” – raises an interesting questions of how decisions will be made on matters where the Committee is divided. For a motion to pass, will it need “yes” votes by: (1) a majority of the Committee membership? or (2) a majority of the members present? or (3) a majority of the votes cast? and (4) how will abstentions be counted? I don’t think the committee has adopted clear rules of procedure at this point.

## Item 3.a. Review & Discuss Draft Revisions (to Goals & Policies)

Aside from the correction of obvious typos in the existing Land Use Element (LUE), I think it would have been helpful to indicate both the reason for each proposed change and an explanation of how, in the author’s opinion, the interpretation of the proposed new language would differ from that of the existing language. Without that, and probably even with that, I find this item nearly impossible to comment on. Nor can I visualize how the Committee will handle it. Before even soliciting further suggestions from its members and the public, changes are proposed to more than 100 paragraphs over 44 densely written pages. It is difficult for me to believe thoughtful deliberation can be given to each of so many changes at a single meeting, and finalized at the next.

I am also struggling to understand how these revisions to the LUE could be made without substantially modifying the Implementation Program and possibly other elements of the General Plan which the Land Use Element is itself supposed to summarize and implement.

***Item 3.b. Public Correspondence (re: Review of Goals & Policies)***

I agree with Dorothy Kraus that many of the proposed revisions she commented on, some of which may already have been mysteriously dropped before being considered by the Committee, seem arbitrary, pro-growth and inconsistent with the Vision Statement of the current General Plan. And to me such pro-growth relaxation of existing commitments by a small Committee seems particularly problematic given that when voters were asked to give the “Greenlight” to the current development plan – developed with much more extensive public input and participation – they were told (see City Council Resolution 2006-77) it managed to add 1,166 residential units while *reducing* non-residential development and traffic.

I share Dorothy’s confusion as to what changes to the circumstances of the City in the last seven years dictate the need for a new vision.